

REMARKS

AMENDMENTS TO CLAIMS

Applicant has amended claims 1, 20 and 39 so that each now includes a substantive limitation requiring the double wagers of the first wager group to include at least one wager on a non-equal combination of two of the differentiable random events (i.e., where the outcome of event 1 and event 2 do not have the same value) and the trifecta wagers to include at least one wager on a non-equal combination of three of the differentiable random events (i.e., where the outcome of event 1 and event 2 and event 3 are not all the same value).

All remaining claims in the present application depend directly or indirectly from one of claims 1, 20 and 39. Therefore, every claim as currently amended expressly includes the foregoing limitation.

Traversal of Rejections Under 35 U.S.C. § 102

Examiner has rejected claims 1, 20 and 39 as being anticipated by Jones because the claims did not expressly include applicant's definition of "double" and "trifecta" wagers, discussed by applicant in its previous submission. Claims 1, 20 and 39 have been amended to expressly include this limitation, thereby making clear applicant's definition of "double" and "trifecta" wagers.

As discussed in applicant's previous submission, Jones does not disclose or suggest any "double" wager or "trifecta" wager as defined and claimed by applicant. Jones instead discloses only two-of-a-kind and three-of-a-kind wagers, which are patentably distinct from true "double" and "trifecta" wagers as used in the present application. "Double" and "trifecta" wagers as disclosed and expressly claimed in the present application encompass individual wagers (e.g.,

wagers placable with a single “chip”) that cover non-equal outcomes of the differentiable events; that is, outcomes other than two-of-a-kind and three-of-a-kind outcomes.

Jones therefore does not suggest or teach applicant’s invention as disclosed and claimed in the present application, and the present application should be allowed.

Traversal of Rejections Under 35 U.S.C. § 103

Examiner rejected claims 3-8, 10-16, 18, 19, 22-27, 29-35, 37, 38, 41-46, 48-54, 56 and 57 as being unpatentable under 35 U.S.C. § 103(a) over Jones in further view of Timmons and Meeks.

As discussed in applicant’s previous submission, Timmons does not disclose or suggest anywhere that the four dice disclosed are distinguishable from one another or that each outcome of the roll of each of these dice is distinguishable from any other outcome. Timmons therefore cannot teach or suggest “double” wagers or “trifecta” as claimed in all pending claims.

Similarly, Meeks discloses a “dice shaking apparatus” having two indistinguishable dice. As with Timmons, nowhere does Meeks suggest or disclose differentiable random events, and so, as with Timmons, Meeks cannot teach or suggest the “double” wagers or “trifecta” wagers of the present invention.

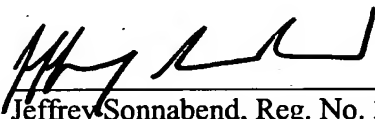
Neither Timmons nor Meeks makes-up the “double” or “trifecta” deficiencies of Jones, and no combination of these references suggests or discloses applicant’s invention having “double” and “trifecta” wagers as presently claimed. The instant invention as is therefore patentable over Jones in view of Timmons and/or Meeks and should be allowed.

Conclusion

For the foregoing reasons, applicant believes that Jones does not anticipate or render obvious any claims in the application as currently amended. Furthermore, Jones in further view of Timmons and/or Meeks, assuming arguendo any motivation to combine them, does not render obvious any claims in the application as currently amended. Applicant therefore respectfully requests that Examiner allow the claims as presently amended.

Respectfully submitted,

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Jeffrey Sonnabend, Reg. No. 36,282
SonnabendLaw
Attorney for Applicant(s)
600 Prospect Avenue
Brooklyn, NY 11215-6012
718-832-8810
JSonnabend@SonnabendLaw.com